

**OFFICIAL JOURNAL  
OF THE  
SENATE  
OF THE  
STATE OF LOUISIANA**

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**THIRD DAY'S PROCEEDINGS**

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**Twenty-Ninth Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

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Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Wednesday, April 2, 2003

The Senate was called to order at 9:30 o'clock A.M., by Hon. John Hainkel, President of the Senate.

**ROLL CALL**

The roll being called, the following members answered to their names:

**PRESENT**

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Ellington | Lambert    |
| Adley         | Fontenot  | Lentini    |
| Bajoie        | Heitmeier | Malone     |
| Barham        | Hines     | Mount      |
| Cain          | Holden    | Romero     |
| Chaisson      | Hollis    | Schedler   |
| Cravins       | Hoyt      | Smith      |
| Dardenne      | Johnson   | Theunissen |
| Dean          | Jones, B  | Thomas     |
| Dupre         | Jones, CD |            |
| Total—29      |           |            |

**ABSENT**

|           |             |        |
|-----------|-------------|--------|
| Bean      | Irons       | Tarver |
| Boissiere | Marionneaux | Ullo   |
| Fields    | McPherson   |        |
| Gautreaux | Michot      |        |
| Total—10  |             |        |

The President of the Senate announced there were 29 Senators present and a quorum.

**Prayer**

The prayer was offered by Rev. Tommy French, following which the Senate joined in pledging allegiance to the flag of the United States of America.

**Reading of the Journal**

On motion of Senator Lambert, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

**Morning Hour**

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House  
CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

April 1, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

**SENATE CONCURRENT RESOLUTION NO. 1—**  
BY SENATOR LAMBERT

**A CONCURRENT RESOLUTION**  
To memorialize the Congress of the United States to hold a national referendum to maintain the words "one nation under God" in the Pledge of Allegiance.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 3—**  
BY SENATOR SCHEDLER

**A CONCURRENT RESOLUTION**  
To commend the March of Dimes on their campaign to reduce the number of premature births.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 4—**  
BY SENATOR SCHEDLER

**A CONCURRENT RESOLUTION**  
To designate August, 2003, as Adrenoleukodystrophy Awareness Month.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 5—**  
BY SENATOR SMITH

**A CONCURRENT RESOLUTION**  
To designate and proclaim the city of Natchitoches as the Meat Pie Capital of Louisiana.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 8—**  
BY SENATORS HINES AND ROMERO AND REPRESENTATIVE BAUDOUIN

**A CONCURRENT RESOLUTION**  
To designate the town of Arnaudville "A Jewel on the Teche".

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 10—**  
BY SENATOR LAMBERT

**A CONCURRENT RESOLUTION**  
To recognize the Louisiana Comprehensive Cancer Control Coalition and urge recognition and support for developing a Comprehensive Cancer Control Plan for Louisiana.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 23—**  
BY SENATORS HAINKEL AND SCHEDLER

**A CONCURRENT RESOLUTION**  
To express the sincere and heart felt condolences of the Legislature of Louisiana on the death of former Sergeant-at-Arms of the Louisiana State Senate, Mac L. "Big Mac" Casse.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 24—**

BY SENATOR THEUNISSEN

**A CONCURRENT RESOLUTION**

To recognize and acknowledge the significant contributions of the community and technical colleges in Louisiana to the education and training of students and workers, and to designate the month of April as "Community and Technical College Month in Louisiana".

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 25—**

BY SENATOR THEUNISSEN

**A CONCURRENT RESOLUTION**

To commend and support the Advisory Committee on International Education on their continued collaborative effort to establish a state international education policy for the state of Louisiana and its institutions of postsecondary education.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 26—**

BY SENATOR HOLLIS

**A CONCURRENT RESOLUTION**

To commend "The Shaw Group, Inc.", on their continued growth in Louisiana and to congratulate them on the occasion of being named as one of the nation's five hundred largest companies as determined by Fortune magazine.

Reported without amendments.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

April 1, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 45—**

BY REPRESENTATIVES BALDONE, DARTEZ, AND DOWNER, AND  
SENATORS DUPRE AND GAUTREAUX

**A CONCURRENT RESOLUTION**

To commend the Ellender Memorial High School girls basketball team for an exceptional season and for winning the Class 4A State Championship.

**HOUSE CONCURRENT RESOLUTION NO. 46—**

BY REPRESENTATIVES BALDONE, DARTEZ, AND DOWNER AND  
SENATORS DUPRE AND GAUTREAUX

**A CONCURRENT RESOLUTION**

To commend the Vanderbilt Catholic High School boys soccer team for an exceptional season and for winning the Division II State Championship.

**HOUSE CONCURRENT RESOLUTION NO. 47—**

BY REPRESENTATIVES CROWE AND SCHNEIDER AND SENATOR  
SCHEDLER

**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the tragic death of Deputy Justin Wayne Kennedy of the St. Tammany Parish Sheriff's Department.

**HOUSE CONCURRENT RESOLUTION NO. 48—**

BY REPRESENTATIVES CROWE AND SCHNEIDER AND SENATOR  
SCHEDLER

**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of Mr. Darryl V. Warner of Slidell.

**HOUSE CONCURRENT RESOLUTION NO. 52—**

BY REPRESENTATIVE LAFLEUR

**A CONCURRENT RESOLUTION**

To commend the Francophone Section of the Louisiana Bar Association and to encourage citizens to support its French Mock Trial and to participate in the celebration of the Bicentennial of the Louisiana Purchase.

**HOUSE CONCURRENT RESOLUTION NO. 55—**

BY REPRESENTATIVE MCVEA AND SENATOR FONTENOT

**A CONCURRENT RESOLUTION**

To commend the Albany High School Girls Basketball team for an exceptional season and for winning the Class 3A State Championship.

**HOUSE CONCURRENT RESOLUTION NO. 57—**

BY REPRESENTATIVE DEWITT

**A CONCURRENT RESOLUTION**

To recognize May 14, 2003, as Junior League Day.

**HOUSE CONCURRENT RESOLUTION NO. 58—**

BY REPRESENTATIVE DEWITT

**A CONCURRENT RESOLUTION**

To recognize the month of May as DNA Awareness Month.

**HOUSE CONCURRENT RESOLUTION NO. 61—**

BY REPRESENTATIVE BRUCE

**A CONCURRENT RESOLUTION**

To commend the Evangel Christian Academy football team on winning the Class 5A State Championship.

**HOUSE CONCURRENT RESOLUTION NO. 62—**

BY REPRESENTATIVE BRUCE

**A CONCURRENT RESOLUTION**

To commend Devin Allen upon being crowned Louisiana's Southern Teen 2003.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**House Concurrent Resolutions**

Senator Adley asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 45—**

BY REPRESENTATIVES BALDONE, DARTEZ, AND DOWNER, AND  
SENATORS DUPRE AND GAUTREAUX

**A CONCURRENT RESOLUTION**

To commend the Ellender Memorial High School girls basketball team for an exceptional season and for winning the Class 4A State Championship.

The resolution was read by title. Senator Dupre moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President

Fontenot

Lentini

|           |           |            |
|-----------|-----------|------------|
| Adley     | Heitmeier | Malone     |
| Bajoie    | Hines     | Mount      |
| Barham    | Holden    | Romero     |
| Cain      | Hollis    | Schedler   |
| Chaisson  | Hoyt      | Smith      |
| Dardenne  | Johnson   | Theunissen |
| Dean      | Jones, B  | Thomas     |
| Dupre     | Jones, CD |            |
| Ellington | Lambert   |            |
| Total—28  |           |            |

NAYS

Total—0

ABSENT

|           |             |        |
|-----------|-------------|--------|
| Bean      | Gautreaux   | Michot |
| Boissiere | Irons       | Tarver |
| Cravins   | Marionneaux | Ullo   |
| Fields    | McPherson   |        |
| Total—11  |             |        |

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 46—**

BY REPRESENTATIVES BALDONE, DARTEZ, AND DOWNER AND SENATORS DUPRE AND GAUTREAUX

**A CONCURRENT RESOLUTION**

To commend the Vandebilt Catholic High School boys soccer team for an exceptional season and for winning the Division II State Championship.

The resolution was read by title. Senator Dupre moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Fontenot  | Lambert    |
| Adley         | Heitmeier | Lentini    |
| Bajoie        | Hines     | Malone     |
| Barham        | Holden    | Mount      |
| Cain          | Hollis    | Romero     |
| Chaisson      | Hoyt      | Schedler   |
| Dean          | Johnson   | Smith      |
| Dupre         | Jones, B  | Theunissen |
| Ellington     | Jones, CD | Thomas     |
| Total—27      |           |            |

NAYS

Total—0

ABSENT

|           |             |           |
|-----------|-------------|-----------|
| Bean      | Fields      | McPherson |
| Boissiere | Gautreaux   | Michot    |
| Cravins   | Irons       | Tarver    |
| Dardenne  | Marionneaux | Ullo      |
| Total—12  |             |           |

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 47—**

BY REPRESENTATIVES CROWE AND SCHNEIDER AND SENATOR SCHEDLER

**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the tragic death of Deputy Justin Wayne Kennedy of the St. Tammany Parish Sheriff's Department.

The resolution was read by title. Senator Schedler moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Fontenot  | Lentini    |
| Adley         | Heitmeier | Malone     |
| Bajoie        | Hines     | Mount      |
| Barham        | Holden    | Romero     |
| Cain          | Hollis    | Schedler   |
| Chaisson      | Hoyt      | Smith      |
| Dardenne      | Johnson   | Theunissen |
| Dean          | Jones, B  | Thomas     |
| Dupre         | Jones, CD |            |
| Ellington     | Lambert   |            |
| Total—28      |           |            |

NAYS

Total—0

ABSENT

|           |             |        |
|-----------|-------------|--------|
| Bean      | Gautreaux   | Michot |
| Boissiere | Irons       | Tarver |
| Cravins   | Marionneaux | Ullo   |
| Fields    | McPherson   |        |
| Total—11  |             |        |

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 48—**

BY REPRESENTATIVES CROWE AND SCHNEIDER AND SENATOR SCHEDLER

**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of Mr. Darryl V. Warner of Slidell.

The resolution was read by title. Senator Schedler moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Fontenot  | Lambert    |
| Adley         | Heitmeier | Lentini    |
| Bajoie        | Hines     | Malone     |
| Barham        | Holden    | Mount      |
| Cain          | Hollis    | Romero     |
| Dardenne      | Hoyt      | Schedler   |
| Dean          | Johnson   | Smith      |
| Dupre         | Jones, B  | Theunissen |
| Ellington     | Jones, CD | Thomas     |
| Total—27      |           |            |

NAYS

Total—0

ABSENT

|           |             |           |
|-----------|-------------|-----------|
| Bean      | Fields      | McPherson |
| Boissiere | Gautreaux   | Michot    |
| Chaisson  | Irons       | Tarver    |
| Cravins   | Marionneaux | Ullo      |
| Total—12  |             |           |

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

### HOUSE CONCURRENT RESOLUTION NO. 52—

BY REPRESENTATIVE LAFLEUR

#### A CONCURRENT RESOLUTION

To commend the Francophone Section of the Louisiana Bar Association and to encourage citizens to support its French Mock Trial and to participate in the celebration of the Bicentennial of the Louisiana Purchase.

The resolution was read by title. Senator Hines moved to concur in the House Concurrent Resolution.

### ROLL CALL

The roll was called with the following result:

#### YEAS

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Fontenot  | Lentini    |
| Adley         | Heitmeier | Malone     |
| Bajoie        | Hines     | Mount      |
| Barham        | Holden    | Romero     |
| Cain          | Hollis    | Schedler   |
| Chaisson      | Hoyt      | Smith      |
| Dardenne      | Johnson   | Theunissen |
| Dean          | Jones, B  | Thomas     |
| Dupre         | Jones, CD |            |
| Ellington     | Lambert   |            |
| Total—28      |           |            |

#### NAYS

Total—0

#### ABSENT

|           |             |        |
|-----------|-------------|--------|
| Bean      | Gautreaux   | Michot |
| Boissiere | Irons       | Tarver |
| Cravins   | Marionneaux | Ullo   |
| Fields    | McPherson   |        |
| Total—11  |             |        |

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

### HOUSE CONCURRENT RESOLUTION NO. 55—

BY REPRESENTATIVE MCVEA AND SENATOR FONTENOT

#### A CONCURRENT RESOLUTION

To commend the Albany High School Girls Basketball team for an exceptional season and for winning the Class 3A State Championship.

The resolution was read by title. Senator Fontenot moved to concur in the House Concurrent Resolution.

### ROLL CALL

The roll was called with the following result:

#### YEAS

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Fontenot  | Lentini    |
| Adley         | Heitmeier | Malone     |
| Bajoie        | Hines     | Mount      |
| Barham        | Holden    | Romero     |
| Cain          | Hollis    | Schedler   |
| Chaisson      | Hoyt      | Smith      |
| Dardenne      | Johnson   | Theunissen |
| Dean          | Jones, B  | Thomas     |
| Dupre         | Jones, CD |            |
| Ellington     | Lambert   |            |

Total—28

#### NAYS

Total—0

#### ABSENT

|           |             |        |
|-----------|-------------|--------|
| Bean      | Gautreaux   | Michot |
| Boissiere | Irons       | Tarver |
| Cravins   | Marionneaux | Ullo   |
| Fields    | McPherson   |        |
| Total—11  |             |        |

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

### HOUSE CONCURRENT RESOLUTION NO. 57—

BY REPRESENTATIVE DEWITT

#### A CONCURRENT RESOLUTION

To recognize May 14, 2003, as Junior League Day.

The resolution was read by title. Senator Adley moved to concur in the House Concurrent Resolution.

### ROLL CALL

The roll was called with the following result:

#### YEAS

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Fontenot  | Lentini    |
| Adley         | Heitmeier | Malone     |
| Bajoie        | Hines     | Mount      |
| Barham        | Holden    | Romero     |
| Cain          | Hollis    | Schedler   |
| Chaisson      | Hoyt      | Smith      |
| Dardenne      | Johnson   | Theunissen |
| Dean          | Jones, B  | Thomas     |
| Dupre         | Jones, CD |            |
| Ellington     | Lambert   |            |
| Total—28      |           |            |

#### NAYS

Total—0

#### ABSENT

|           |             |        |
|-----------|-------------|--------|
| Bean      | Gautreaux   | Michot |
| Boissiere | Irons       | Tarver |
| Cravins   | Marionneaux | Ullo   |
| Fields    | McPherson   |        |
| Total—11  |             |        |

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

### HOUSE CONCURRENT RESOLUTION NO. 58—

BY REPRESENTATIVE DEWITT

#### A CONCURRENT RESOLUTION

To recognize the month of May as DNA Awareness Month.

The resolution was read by title. Senator Adley moved to concur in the House Concurrent Resolution.

### ROLL CALL

The roll was called with the following result:

#### YEAS

|               |           |         |
|---------------|-----------|---------|
| Mr. President | Fontenot  | Lentini |
| Adley         | Heitmeier | Malone  |
| Bajoie        | Hines     | Mount   |

|           |           |            |
|-----------|-----------|------------|
| Barham    | Holden    | Romero     |
| Cain      | Hollis    | Schedler   |
| Chaisson  | Hoyt      | Smith      |
| Dardenne  | Johnson   | Theunissen |
| Dean      | Jones, B  | Thomas     |
| Dupre     | Jones, CD |            |
| Ellington | Lambert   |            |
| Total—28  |           |            |

NAYS

Total—0

ABSENT

|           |             |        |
|-----------|-------------|--------|
| Bean      | Gautreaux   | Michot |
| Boissiere | Irons       | Tarver |
| Cravins   | Marionneaux | Ullo   |
| Fields    | McPherson   |        |
| Total—11  |             |        |

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

### HOUSE CONCURRENT RESOLUTION NO. 61—

BY REPRESENTATIVE BRUCE

#### A CONCURRENT RESOLUTION

To commend the Evangel Christian Academy football team on winning the Class 5A State Championship.

The resolution was read by title. Senator Malone moved to concur in the House Concurrent Resolution.

### ROLL CALL

The roll was called with the following result:

YEAS

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Fontenot  | Lentini    |
| Adley         | Heitmeier | Malone     |
| Bajoie        | Hines     | Mount      |
| Barham        | Holden    | Romero     |
| Cain          | Hollis    | Schedler   |
| Chaisson      | Hoyt      | Smith      |
| Dardenne      | Johnson   | Theunissen |
| Dean          | Jones, B  | Thomas     |
| Dupre         | Jones, CD |            |
| Ellington     | Lambert   |            |
| Total—28      |           |            |

NAYS

Total—0

ABSENT

|           |             |        |
|-----------|-------------|--------|
| Bean      | Gautreaux   | Michot |
| Boissiere | Irons       | Tarver |
| Cravins   | Marionneaux | Ullo   |
| Fields    | McPherson   |        |
| Total—11  |             |        |

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

### HOUSE CONCURRENT RESOLUTION NO. 62—

BY REPRESENTATIVE BRUCE

#### A CONCURRENT RESOLUTION

To commend Devin Allen upon being crowned Louisiana's Southern Teen 2003.

The resolution was read by title. Senator Malone moved to concur in the House Concurrent Resolution.

### ROLL CALL

The roll was called with the following result:

YEAS

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Fontenot  | Lentini    |
| Adley         | Heitmeier | Malone     |
| Bajoie        | Hines     | Mount      |
| Barham        | Holden    | Romero     |
| Cain          | Hollis    | Schedler   |
| Chaisson      | Hoyt      | Smith      |
| Dardenne      | Johnson   | Theunissen |
| Dean          | Jones, B  | Thomas     |
| Dupre         | Jones, CD |            |
| Ellington     | Lambert   |            |
| Total—28      |           |            |

NAYS

Total—0

ABSENT

|           |             |        |
|-----------|-------------|--------|
| Bean      | Gautreaux   | Michot |
| Boissiere | Irons       | Tarver |
| Cravins   | Marionneaux | Ullo   |
| Fields    | McPherson   |        |
| Total—11  |             |        |

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

### Motion to Recommit

Senator Johnson asked for and obtained a suspension of the rules and recommitted Senate Bill No. 869 from the Committee on Environmental Quality to the Committee on Health and Welfare.

### Motion to Recommit

Senator Schedler asked for and obtained a suspension of the rules and recommitted Senate Bill No. 175 from the Committee on Local and Municipal Affairs to the Committee on Commerce, Consumer Protection and International Affairs.

### Recess

On motion of Senator Lambert, the Senate took a recess until 4:00 o'clock P.M.

### After Recess

The Senate was called to order at 4:00 o'clock P.M. by the President of the Senate.

### ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

|               |           |             |
|---------------|-----------|-------------|
| Mr. President | Dupre     | Lambert     |
| Adley         | Ellington | Lentini     |
| Bajoie        | Fields    | Malone      |
| Barham        | Heitmeier | Marionneaux |
| Boissiere     | Holden    | Michot      |
| Cain          | Hollis    | Mount       |
| Chaisson      | Hoyt      | Romero      |
| Cravins       | Johnson   | Schedler    |

April 2, 2003

Dardenne  
Dean  
Total—30

Jones, B  
Jones, CD  
  
ABSENT

Smith  
Theunissen

Bean  
Fontenot  
Gautreaux  
Total—9

Hines  
Irons  
McPherson

Tarver  
Thomas  
Ullo

The President of the Senate announced there were 30 Senators present and a quorum.

### Senate Business Resumed

#### Rules Suspended

Senator Lambert asked for and obtained a suspension of the rules for the purpose of taking up at this time.

#### Introduction of Senate Concurrent Resolutions

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Concurrent Resolutions a first and second time and acting upon them as follows:

#### SENATE CONCURRENT RESOLUTION NO. 27— BY SENATOR LAMBERT

##### A CONCURRENT RESOLUTION

To invite Chief Justice Pascal Calogero of the Louisiana Supreme Court to address a joint session of the legislature.

The resolution was read by title. Senator Lambert moved to adopt the Senate Concurrent Resolution.

#### ROLL CALL

The roll was called with the following result:

##### YEAS

Mr. President  
Adley  
Bajoie  
Barham  
Boissiere  
Cain  
Chaisson  
Cravins  
Dardenne  
Dupre  
Total—28

Ellington  
Fields  
Heitmeier  
Holden  
Hollis  
Hoyt  
Johnson  
Jones, CD  
Lambert  
Lentini

Malone  
Marionneaux  
Michot  
Mount  
Romero  
Schedler  
Smith  
Theunissen

##### NAYS

Total—0

##### ABSENT

Bean  
Dean  
Fontenot  
Gautreaux  
Total—11

Hines  
Irons  
Jones, B  
McPherson

Tarver  
Thomas  
Ullo

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

#### SENATE CONCURRENT RESOLUTION NO. 28— BY SENATOR DUPRE AND REPRESENTATIVE BALDONE

##### A CONCURRENT RESOLUTION

To commend the South Terrebonne High School Band and its band director, Jason Lyons, for receiving the Grand Champion Trophy for "The Best Marching Band" in the Krewe of Rex.

The resolution was read by title. Senator Dupre moved to adopt the Senate Concurrent Resolution.

#### ROLL CALL

The roll was called with the following result:

##### YEAS

Mr. President  
Adley  
Bajoie  
Barham  
Boissiere  
Cain  
Chaisson  
Cravins  
Dardenne  
Total—27

Dupre  
Ellington  
Heitmeier  
Holden  
Hollis  
Hoyt  
Johnson  
Jones, CD  
Lambert

Lentini  
Malone  
Marionneaux  
Michot  
Mount  
Romero  
Schedler  
Smith  
Theunissen

##### NAYS

Total—0

##### ABSENT

Bean  
Dean  
Fields  
Fontenot  
Total—12

Gautreaux  
Hines  
Irons  
Jones, B

McPherson  
Tarver  
Thomas  
Ullo

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

#### Messages from the House

The following Messages from the House were received and read as follows:

#### Message from the House

#### ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

April 2, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

#### HOUSE BILL NO. 57—

BY REPRESENTATIVE BALDONE

##### AN ACT

To amend and reenact Code of Evidence Article 515(C)(10), relative to testimonial privileges; to provide for the accountant-client privilege in domestic proceedings; and to provide for related matters.

**HOUSE BILL NO. 206—**

BY REPRESENTATIVES MONTGOMERY, L. JACKSON, AND JANE SMITH

**AN ACT**

To amend and reenact R.S. 19:121, relative to expropriation of property by a declaration of taking by the cities of Bossier City and Shreveport; to redefine property subject to such expropriation; to direct the Louisiana State Law Institute to appropriately rename the Part heading; and to provide for related matters.

**HOUSE BILL NO. 303—**

BY REPRESENTATIVE BOWLER

**AN ACT**

To amend and reenact R.S. 9:315.20(Obligation Worksheet B), relative to the shared custodial worksheet; to clarify language used in calculating payments to third parties; and to provide for related matters.

**HOUSE BILL NO. 323—**

BY REPRESENTATIVE JOHNS

**AN ACT**

To amend and reenact R.S. 46:236.8(G)(2), relative to medical support orders; to provide for enrollment in a health plan or program; and to provide for related matters.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**House Bills and Joint Resolutions**

Senator Lambert asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

**HOUSE BILL NO. 57—**

BY REPRESENTATIVE BALDONE

**AN ACT**

To amend and reenact Code of Evidence Article 515(C)(10), relative to testimonial privileges; to provide for the accountant-client privilege in domestic proceedings; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary C.

**HOUSE BILL NO. 206—**

BY REPRESENTATIVES MONTGOMERY, L. JACKSON, AND JANE SMITH

**AN ACT**

To amend and reenact R.S. 19:121, relative to expropriation of property by a declaration of taking by the cities of Bossier City and Shreveport; to redefine property subject to such expropriation; to direct the Louisiana State Law Institute to appropriately rename the Part heading; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 303—**

BY REPRESENTATIVE BOWLER

**AN ACT**

To amend and reenact R.S. 9:315.20(Obligation Worksheet B), relative to the shared custodial worksheet; to clarify language used in calculating payments to third parties; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary A.

**HOUSE BILL NO. 323—**

BY REPRESENTATIVE JOHNS

**AN ACT**

To amend and reenact R.S. 46:236.8(G)(2), relative to medical support orders; to provide for enrollment in a health plan or program; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Health and Welfare.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House****ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

April 2, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 49—**

BY REPRESENTATIVE NEVERS

**A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to review and consider eliminating provisions of law supplanting social security benefits for those receiving benefits from a federal, state, or local government retirement system.

**HOUSE CONCURRENT RESOLUTION NO. 67—**

BY REPRESENTATIVE DURAND

**A CONCURRENT RESOLUTION**

To recognize and commend the International Adhesions Society for its efforts in promoting awareness of adhesions and supporting patients with adhesions.

**HOUSE CONCURRENT RESOLUTION NO. 68—**

BY REPRESENTATIVE KATZ

**A CONCURRENT RESOLUTION**

To memorialize congress to vote to ban partial birth abortions.

**HOUSE CONCURRENT RESOLUTION NO. 69—**

BY REPRESENTATIVE WELCH

**A CONCURRENT RESOLUTION**

To commend the Louisiana State University Men's Basketball team on a great season and upon being selected to participate in the National Collegiate Athletic Association (NCAA) Men's Basketball Tournament.

**HOUSE CONCURRENT RESOLUTION NO. 70—**

BY REPRESENTATIVE WELCH

**A CONCURRENT RESOLUTION**

To express the sincere condolences of the Legislature of Louisiana upon the death of Mr. Harrison Joseph "Chief" Baptiste.

**HOUSE CONCURRENT RESOLUTION NO. 71—**

BY REPRESENTATIVE WELCH

**A CONCURRENT RESOLUTION**

To commend the Louisiana State University women's track and field team upon winning the 2003 National Collegiate Athletic Association Indoor Track and Field Championship.

### HOUSE CONCURRENT RESOLUTION NO. 73—

BY REPRESENTATIVE PINAC

#### A CONCURRENT RESOLUTION

To commend electric utility companies for their efforts to promptly restore power after Tropical Storm Isidore and Hurricane Lili.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

### House Concurrent Resolutions

Senator Adley asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

### HOUSE CONCURRENT RESOLUTION NO. 49—

BY REPRESENTATIVE NEVERS

#### A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to review and consider eliminating provisions of law supplanting social security benefits for those receiving benefits from a federal, state, or local government retirement system.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Retirement.

### HOUSE CONCURRENT RESOLUTION NO. 67—

BY REPRESENTATIVE DURAND

#### A CONCURRENT RESOLUTION

To recognize and commend the International Adhesions Society for its efforts in promoting awareness of adhesions and supporting patients with adhesions.

The resolution was read by title. Senator Romero moved to concur in the House Concurrent Resolution.

### ROLL CALL

The roll was called with the following result:

#### YEAS

|               |           |             |
|---------------|-----------|-------------|
| Mr. President | Dupre     | Malone      |
| Adley         | Ellington | Marionneaux |
| Bajoie        | Heitmeier | Michot      |
| Barham        | Holden    | Mount       |
| Boissiere     | Hollis    | Romero      |
| Cain          | Hoyt      | Schedler    |
| Chaisson      | Johnson   | Smith       |
| Dardenne      | Lambert   | Theunissen  |
| Dean          | Lentini   |             |
| Total—26      |           |             |

#### NAYS

Total—0

#### ABSENT

|           |           |        |
|-----------|-----------|--------|
| Bean      | Hines     | Tarver |
| Cravins   | Irons     | Thomas |
| Fields    | Jones, B  | Ullo   |
| Fontenot  | Jones, CD |        |
| Gautreaux | McPherson |        |
| Total—13  |           |        |

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

### HOUSE CONCURRENT RESOLUTION NO. 68—

BY REPRESENTATIVE KATZ

#### A CONCURRENT RESOLUTION

To memorialize congress to vote to ban partial birth abortions.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Health and Welfare.

### HOUSE CONCURRENT RESOLUTION NO. 69—

BY REPRESENTATIVE WELCH

#### A CONCURRENT RESOLUTION

To commend the Louisiana State University Men's Basketball team on a great season and upon being selected to participate in the National Collegiate Athletic Association (NCAA) Men's Basketball Tournament.

The resolution was read by title. Senator Dardenne moved to concur in the House Concurrent Resolution.

### ROLL CALL

The roll was called with the following result:

#### YEAS

|               |           |             |
|---------------|-----------|-------------|
| Mr. President | Dean      | Lentini     |
| Adley         | Dupre     | Malone      |
| Bajoie        | Ellington | Marionneaux |
| Barham        | Heitmeier | Michot      |
| Boissiere     | Holden    | Mount       |
| Cain          | Hollis    | Romero      |
| Chaisson      | Hoyt      | Schedler    |
| Cravins       | Johnson   | Smith       |
| Dardenne      | Lambert   | Theunissen  |
| Total—27      |           |             |

#### NAYS

Total—0

#### ABSENT

|           |           |           |
|-----------|-----------|-----------|
| Bean      | Hines     | McPherson |
| Fields    | Irons     | Tarver    |
| Fontenot  | Jones, B  | Thomas    |
| Gautreaux | Jones, CD | Ullo      |
| Total—12  |           |           |

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

### HOUSE CONCURRENT RESOLUTION NO. 70—

BY REPRESENTATIVE WELCH

#### A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Mr. Harrison Joseph "Chief" Baptiste.

The resolution was read by title. Senator Adley moved to concur in the House Concurrent Resolution.

### ROLL CALL

The roll was called with the following result:

#### YEAS

|               |           |             |
|---------------|-----------|-------------|
| Mr. President | Dupre     | Malone      |
| Adley         | Ellington | Marionneaux |
| Bajoie        | Heitmeier | Michot      |
| Barham        | Holden    | Mount       |
| Boissiere     | Hollis    | Romero      |
| Cain          | Hoyt      | Schedler    |
| Chaisson      | Johnson   | Smith       |



|  |  |                          |
|--|--|--------------------------|
| Dardenne<br>Dean<br>Total—26                                   | Lambert<br>Lentini<br><br>NAYS                       | Theunissen               |
| Total—0  | ABSENT   |                          |
| Bean<br>Cravins<br>Fields<br>Fontenot<br>Gautreaux<br>Total—13 | Hines<br>Irons<br>Jones, B<br>Jones, CD<br>McPherson | Tarver<br>Thomas<br>Ullo |

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 71—**  
BY REPRESENTATIVE WELCH

**A CONCURRENT RESOLUTION**

To commend the Louisiana State University women's track and field team upon winning the 2003 National Collegiate Athletic Association Indoor Track and Field Championship.

The resolution was read by title. Senator Holden moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

|  |   |   |
|--|---|---|
| YEAS   |   |   |
| Mr. President<br>Adley<br>Bajoie<br>Barham<br>Boissiere<br>Cain<br>Chaisson<br>Cravins<br>Dardenne<br>Dean<br>Total—28 | Dupre<br>Ellington<br>Heitmeier<br>Holden<br>Hollis<br>Hoyt<br>Johnson<br>Jones, CD<br>Lambert<br>Lentini | Malone<br>Marionneaux<br>Michot<br>Mount<br>Romero<br>Schedler<br>Smith<br>Theunissen |
| NAYS   |   |   |
| Total—0  |   |   |
| ABSENT   |   |   |
| Bean<br>Fields<br>Fontenot<br>Gautreaux<br>Total—11  | Hines<br>Irons<br>Jones, B<br>McPherson   | Tarver<br>Thomas<br>Ullo  |

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 73—**  
BY REPRESENTATIVE PINAC

**A CONCURRENT RESOLUTION**

To commend electric utility companies for their efforts to promptly restore power after Tropical Storm Isidore and Hurricane Lili.

The resolution was read by title. Senator Dupre moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

|  |   |   |
|--|---|---|
| YEAS   |   |   |
| Mr. President<br>Adley<br>Bajoie<br>Barham<br>Boissiere<br>Cain<br>Chaisson<br>Cravins<br>Dardenne<br>Dean<br>Total—28 | Dupre<br>Ellington<br>Heitmeier<br>Holden<br>Hollis<br>Hoyt<br>Johnson<br>Jones, CD<br>Lambert<br>Lentini | Malone<br>Marionneaux<br>Michot<br>Mount<br>Romero<br>Schedler<br>Smith<br>Theunissen |
| NAYS   |   |   |
| Total—0  |   |   |
| ABSENT   |   |   |
| Bean<br>Fields<br>Fontenot<br>Gautreaux<br>Total—11  | Hines<br>Irons<br>Jones, B<br>McPherson   | Tarver<br>Thomas<br>Ullo  |

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**LOCAL AND MUNICIPAL AFFAIRS**

Senator Bajoie, Chairman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

April 2, 2003

To the President and Members of the Senate:

I am directed by your Committee on Local and Municipal Affairs to submit the following report:

**SENATE BILL NO. 68—**  
BY SENATOR SMITH

**AN ACT**

To enact R.S. 33:381(C)(27), relative to municipal officers; to provide that the village of Dry Prong shall appoint the chief of police; to provide for the salary, duties, qualifications, and responsibilities of the chief of police; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 146—**  
BY SENATOR SMITH

**AN ACT**

To enact R.S. 25:213(E), relative to parish or municipal libraries; to authorize the governing authority of Winn Parish to authorize the Winn Parish library boards to expend a portion of the library maintenance tax for certain purposes; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 252—**  
BY SENATOR DUPRE

AN ACT

To enact R.S. 40:1496(I), relative to fire protection districts; to provide for the membership of the board of commissioners of the Terrebonne Parish Fire District Number 5; to provide for extending the district into Lafourche Parish; to provide for the terms of office for board members; to provide for the board chairman; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 363—**  
BY SENATOR THEUNISSEN

AN ACT

To enact Chapter 3-E of Title 8 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 8:135 through 135.2, relative to publicly owned cemeteries; to create the Sweet Lake - Grand Lake Community Cemetery District in Cameron Parish; to provide for the district's boundaries, purpose, powers and duties; to provide for a board of commissioners of the district; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
DIANA E. BAJOIE  
Chairwoman

**REPORT OF COMMITTEE ON  
NATURAL RESOURCES**

Senator Romero, Chairman on behalf of the Committee on Natural Resources, submitted the following report:

April 2, 2003

To the President and Members of the Senate:

I am directed by your Committee on Natural Resources to submit the following report:

**SENATE BILL NO. 14—**  
BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 56:302.9(A)(1), relative to charter boat fishing guide licenses; to provide requirements for issuance of saltwater charter boat guide licenses; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 27—**  
BY SENATOR HAINKEL

AN ACT

To enact R.S. 56:116.1(B)(13), relative to the use of aircraft in the taking of wild turkey and white-tailed deer; to prohibit the use of aircraft for the taking, or spotting of either species; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 29—**  
BY SENATOR DUPRE AND REPRESENTATIVE PITRE  
AN ACT

To enact R.S. 49:170.8, relative to state symbols; to designate the loss of coastal wetlands to be our "state crisis"; to authorize the use of the "America's WETLAND" logo on official state documents; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 45—**  
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 56:332(E)(1) and (G) and to enact R.S. 56:332(M), relative to a program for removal of abandoned crab traps; to authorize the Louisiana Wildlife and Fisheries Commission to establish such a program; to require promulgation of rules and regulations under the Administrative Procedure Act; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 246—**  
BY SENATOR SMITH AND REPRESENTATIVE SALTER  
AN ACT

To authorize the state to exchange and convey title to certain property in Sabine Parish for certain property owned by Blue Lake Village, Incorporated; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
CRAIG F. ROMERO  
Chairman

**REPORT OF COMMITTEE ON  
EDUCATION**

Senator Theunissen, Chairman on behalf of the Committee on Education, submitted the following report:

April 2, 2003

To the President and Members of the Senate:

I am directed by your Committee on Education to submit the following report:

**SENATE BILL NO. 50—**  
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 17:431(A)(1), (B), (C), (D), and (E) and 432.1(A), (B)(1), (C), (D), and (E), relative to awards for various school employees; to eliminate the limit on the amount of money that may be provided for such awards; to require school board approval of the amount of money provided for such awards; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 83—**  
BY SENATOR THEUNISSEN

AN ACT

To enact R.S. 49:191(14) and to repeal R.S. 49:191(12)(c), relative to the Department of Education, including provisions to provide for the re-creation of the Department of Education and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 110—**  
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 17:416(B)(1)(b), relative to minimum blade length; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 112—**

BY SENATOR THEUNISSEN AND REPRESENTATIVE CRANE  
AN ACT

To amend and reenact R.S. 17:10.4(D)(1), relative to school and district accountability; to allow distinguished educators who are active employees of a public postsecondary institution or any city or parish or other local school system to be granted a leave of absence from such employment up to six years; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 126—**

BY SENATOR THEUNISSEN AND REPRESENTATIVE CRANE  
AN ACT

To amend and reenact R.S. 17:31(A)(1), the introductory paragraph of (2)(a), (2)(a)(iv), the introductory paragraph of (2)(b), (2)(b)(iv) and (v), and (c), 32(B), the introductory paragraph of 33(A), and 33(A)(2) and (B), and to enact R.S. 17:31(A)(2)(d) and (e), relative to the State Advisory Commission on Teacher Education and Certification; to revise and increase the membership; to provide for the transaction of business; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 128—**

BY SENATOR THEUNISSEN AND REPRESENTATIVE CRANE  
AN ACT

To amend and reenact R.S. 17:433(C) and to enact R.S. 17:433(D) and 433.1, relative to the outstanding state teacher and principal awards; to establish the outstanding state principal award; to allow the recipients of the state awards to receive certain monetary awards from private sources; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
GERALD J. THEUNISSEN  
Chairman

**Senate Bills and Joint Resolutions  
on Second Reading  
Reported by Committees**

Senator Romero asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just reported by Committees.

**SENATE BILL NO. 14—**

BY SENATOR CAIN  
AN ACT

To amend and reenact R.S. 56:302.9(A)(1), relative to charter boat fishing guide licenses; to provide requirements for issuance of saltwater charter boat guide licenses; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 14 by Senator Cain

**AMENDMENT NO. 1**

On page 1, line 13, between "license," and "a" insert the following:

"the person was born prior to June 1, 1940 or has"

**AMENDMENT NO. 2**

On page 1, line 14, change "R.S. 56:302.1" to "R.S. 56:302.1(G)"

On motion of Senator Romero, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 27—**

BY SENATOR HAINKEL  
AN ACT

To enact R.S. 56:116.1(B)(13), relative to the use of aircraft in the taking of wild turkey and white-tailed deer; to prohibit the use of aircraft for the taking, or spotting of either species; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 27 by Senator Hainkel

**AMENDMENT NO. 1**

On page 1, line 2, change "enact R.S. 56:116.1(B)(13)" to "amend and reenact R.S. 56:116.1(B)(1)"

**AMENDMENT NO. 2**

On page 1, line 6, change "R.S. 56:116.1(B)(13)" to "R.S. 56:116.1(B)(1)".

**AMENDMENT NO. 3**

On page 1, delete lines 13 through 15 in their entirety and insert the following:

"(1)(a) Hunt or take game birds or wild quadrupeds from a moving land vehicle ~~or aircraft~~."

**R.S. 56:116.1(B)(1)(b) is all proposed new law.**

(b) It shall be unlawful for any person to use or employ or attempt to use or employ any aircraft including fixed wing aircrafts, dirigible, balloons, helicopters or any other form of aerial surveillance in the airspace of this state to assist in the hunting, shooting or taking of any bird or animal. Any aircraft, vehicle, boat or vessel and equipment utilized in the unlawful hunting, shooting, taking, possessing or attempt to, as provided for in this Subparagraph, shall be confiscated and subject to forfeiture as provided by R.S. 56:36. Any person who knowingly participates in any of these activities shall also be guilty of violating this Subparagraph. Violation of this Subparagraph shall constitute a class 6 violation.

On motion of Senator Romero, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 29—**

BY SENATOR DUPRE AND REPRESENTATIVE PITRE  
AN ACT

To enact R.S. 49:170.8, relative to state symbols; to designate the loss of coastal wetlands to be our "state crisis"; to authorize the use of the "America's WETLAND" logo on official state documents; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. On motion of Senator Romero, the bill was read by title, ordered engrossed, and passed to a third reading.

# Page 12 SENATE

April 2, 2003

## 3rd DAY'S PROCEEDINGS

### SENATE BILL NO. 45—

BY SENATOR MCPHERSON

#### AN ACT

To amend and reenact R.S. 56:332(E)(1) and (G) and to enact R.S. 56:332(M), relative to a program for removal of abandoned crab traps; to authorize the Louisiana Wildlife and Fisheries Commission to establish such a program; to require promulgation of rules and regulations under the Administrative Procedure Act; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 45 by Senator McPherson

##### AMENDMENT NO. 1

On page 3, line 22, between "traps" and the period "." insert the following: "and their disposal"

##### AMENDMENT NO. 2

On page 3, line 25, between "traps" and the period "." insert the following: "and the location where the removed abandoned traps are to be placed for disposal"

On motion of Senator Romero, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

### SENATE BILL NO. 50—

BY SENATOR THEUNISSEN

#### AN ACT

To amend and reenact R.S. 17:431(A)(1), (B), (C), (D), and (E) and 432.1(A), (B)(1), (C), (D), and (E), relative to awards for various school employees; to eliminate the limit on the amount of money that may be provided for such awards; to require school board approval of the amount of money provided for such awards; and to provide for related matters.

Reported with amendments by the Committee on Education.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 50 by Senator Theunissen

##### AMENDMENT NO. 1

On page 1, lines 2 and 9, change "17:431" to "17:432"

On motion of Senator Theunissen, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

### SENATE BILL NO. 68—

BY SENATOR SMITH

#### AN ACT

To enact R.S. 33:381(C)(27), relative to municipal officers; to provide that the village of Dry Prong shall appoint the chief of police; to provide for the salary, duties, qualifications, and responsibilities of the chief of police; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Bajoie, the bill was read by title, ordered engrossed, and passed to a third reading.

### SENATE BILL NO. 83—

BY SENATOR THEUNISSEN

#### AN ACT

To enact R.S. 49:191(14) and to repeal R.S. 49:191(12)(c), relative to the Department of Education, including provisions to provide for the re-creation of the Department of Education and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported with amendments by the Committee on Education.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 83 by Senator Theunissen

##### AMENDMENT NO. 1

On page 2, line 1, change "2008" to "2009"

##### AMENDMENT NO. 2

On page 2, line 19, change "2007" to "2008"

On motion of Senator Theunissen, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

### SENATE BILL NO. 110—

BY SENATOR HINES

#### AN ACT

To amend and reenact R.S. 17:416(B)(1)(b), relative to minimum blade length; and to provide for related matters.

Reported with amendments by the Committee on Education.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 110 by Senator Hines

##### AMENDMENT NO. 1

On page 1, at the end of line 2, after "length;" insert "to prohibit a student from carrying or possessing a knife of any blade length; to provide for the discipline of such student;"

##### AMENDMENT NO. 2

On page 2, line 7, after "Subparagraph" change "(e)(i)" to "(c)(i)"

##### AMENDMENT NO. 3

On page 2, at the end of line 13, after "suspension" insert a period "."

On motion of Senator Theunissen, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

### SENATE BILL NO. 112—

BY SENATOR THEUNISSEN AND REPRESENTATIVE CRANE

#### AN ACT

To amend and reenact R.S. 17:10.4(D)(1), relative to school and district accountability; to allow distinguished educators who are active employees of a public postsecondary institution or any city or parish or other local school system to be granted a leave of absence from such employment up to six years; and to provide for related matters.

Reported favorably by the Committee on Education. On motion of Senator Theunissen, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 126—**

BY SENATOR THEUNISSEN AND REPRESENTATIVE CRANE  
AN ACT

To amend and reenact R.S. 17:31(A)(1), the introductory paragraph of (2)(a), (2)(a)(iv), the introductory paragraph of (2)(b), (2)(b)(iv) and (v), and (c), 32(B), the introductory paragraph of 33(A), and 33(A)(2) and (B), and to enact R.S. 17:31(A)(2)(d) and (e), relative to the State Advisory Commission on Teacher Education and Certification; to revise and increase the membership; to provide for the transaction of business; and to provide for related matters.

Reported favorably by the Committee on Education. On motion of Senator Theunissen, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 128—**

BY SENATOR THEUNISSEN AND REPRESENTATIVE CRANE  
AN ACT

To amend and reenact R.S. 17:433(C) and to enact R.S. 17:433(D) and 433.1, relative to the outstanding state teacher and principal awards; to establish the outstanding state principal award; to allow the recipients of the state awards to receive certain monetary awards from private sources; and to provide for related matters.

Reported with amendments by the Committee on Education.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 128 by Senator Theunissen

AMENDMENT NO. 1

On page 1, line 4, after "principal" change "award" to "awards"

AMENDMENT NO. 2

On page 1, delete lines 14 and 15, and on page 2 delete lines 1 through 5, and insert as follows:

**"D. Monetary awards shall be provided to the state teachers of the year at the state level when funds are available, and may be provided from any private source subject to the approval of the State Board of Elementary and Secondary Education. Such monetary award shall not be a violation of R.S. 42:1111 or any other provision of the Code of Governmental Ethics."**

AMENDMENT NO. 3

On page 2, line 6, change "award" to "awards"

AMENDMENT NO. 4

On page 2, line 9, between "principal," and "one" insert "and"

AMENDMENT NO. 5

On page 2, delete line 10, and insert "school principal shall be selected"

AMENDMENT NO. 6

On page 2, line 15, change "four" to "three"

AMENDMENT NO. 7

On page 2, lines 20 and 22, change "principal" to "principals"

AMENDMENT NO. 8

On page 2, line 24, delete the comma after "source"

On motion of Senator Theunissen, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 146—**

BY SENATOR SMITH

AN ACT

To enact R.S. 25:213(E), relative to parish or municipal libraries; to authorize the governing authority of Winn Parish to authorize the Winn Parish library boards to expend a portion of the library maintenance tax for certain purposes; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Bajoie, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 246—**

BY SENATOR SMITH AND REPRESENTATIVE SALTER  
AN ACT

To authorize the state to exchange and convey title to certain property in Sabine Parish for certain property owned by Blue Lake Village, Incorporated; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. On motion of Senator Romero, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 252—**

BY SENATOR DUPRE

AN ACT

To enact R.S. 40:1496(I), relative to fire protection districts; to provide for the membership of the board of commissioners of the Terrebonne Parish Fire District Number 5; to provide for extending the district into Lafourche Parish; to provide for the terms of office for board members; to provide for the board chairman; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 252 by Senator Dupre

AMENDMENT NO. 1

On page 1, lines 4 and 15, change "5" to "Five"

AMENDMENT NO. 2

On page 2, line 4, change "5" to "Five"

On motion of Senator Bajoie, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 363—**

BY SENATOR THEUNISSEN

AN ACT

To enact Chapter 3-E of Title 8 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 8:135 through 135.2, relative to publicly owned cemeteries; to create the Sweet Lake - Grand Lake Community Cemetery District in Cameron Parish; to provide for the district's boundaries, purpose, powers and duties; to provide for a board of commissioners of the district; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Bajoie, the bill was read by title, ordered engrossed, and passed to a third reading.

**Senator Lambert in the Chair**

### Motion to Recommit

Senator Cravins asked for and obtained a suspension of the rules and recommitment of Senate Bill No. 981 from the Committee on Commerce, Consumer Protection and International Affairs to the Committee on Judiciary B.

### Motion to Recommit

Senator Heitmeier asked for and obtained a suspension of the rules and recommitment of Senate Bill No. 663 from the Committee on Judiciary B to the Committee on Commerce, Consumer Protection and International Affairs.

### Motion to Recommit

Senator Schedler asked for and obtained a suspension of the rules and recommitment of Senate Bill No. 822 from the Committee on Local and Municipal Affairs to the Committee on Commerce, Consumer Protection and International Affairs.

### Mr. President in the Chair

### Rules Suspended

Senator Lambert asked for and obtained a suspension of the rules for the purpose of taking up at this time.

### Introduction of Senate Concurrent Resolutions

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Concurrent Resolutions a first and second time and acting upon them as follows:

#### SENATE CONCURRENT RESOLUTION NO. 29— BY SENATOR HEITMEIER

#### A CONCURRENT RESOLUTION

To commend the Archbishop Shaw High School cheerleaders and their coaches upon winning the 2003 Universal Cheerleaders Association National Championship.

The resolution was read by title. Senator Heitmeier moved to adopt the Senate Concurrent Resolution.

### ROLL CALL

The roll was called with the following result:

#### YEAS

|               |           |             |
|---------------|-----------|-------------|
| Mr. President | Dean      | Lentini     |
| Adley         | Dupre     | Malone      |
| Bajoie        | Ellington | Marionneaux |
| Barham        | Heitmeier | Michot      |
| Boissiere     | Holden    | Mount       |
| Cain          | Hollis    | Romero      |
| Chaisson      | Hoyt      | Schedler    |
| Cravins       | Jones, CD | Smith       |
| Dardenne      | Lambert   | Theunissen  |
| Total—27      |           |             |

#### NAYS

Total—0

#### ABSENT

|        |       |           |
|--------|-------|-----------|
| Bean   | Hines | McPherson |
| Fields | Irons | Tarver    |

Fontenot  
Gautreaux  
Total—12

Johnson  
Jones, B

Thomas  
Ullo

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

### Leaves of Absence

The following leaves of absence were asked for and granted:

|           |       |             |       |
|-----------|-------|-------------|-------|
| Bean      | 1 Day | Boissiere   | ½ Day |
| Fields    | ½ Day | Fontenot    | ½ Day |
| Gautreaux | 1 Day | Hines       | ½ Day |
| Irons     | 1 Day | Marionneaux | ½ Day |
| McPherson | 1 Day | Michot      | ½ Day |
| Tarver    | 1 Day | Thomas      | ½ Day |
| Ullo      | 1 Day |             |       |

### Adjournment

Senator Lambert moved that the Senate adjourn until Monday, April 7, 2003, at 4:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 4:00 o'clock P.M. on Monday, April 7, 2003.

MICHAEL S. BAER, III  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk